

**REMARKS/ARGUMENTS**

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. By this Amendment, claim 1 has been amended to improve the form thereof. Claims 1 and 4-6 are pending for further examination.

Claims 1 and 4-6 remain rejected under 35 U.S.C. 102(b) as being anticipated by Nathan (WO 96/12257) (cited herein by Applicant based on U.S. National Phase, Pat. 6,308,204). For at least the following reasons, Applicant respectfully submits that the amended claims herein are not anticipated by Nathan. Thus, reconsideration and withdrawal of this rejection are requested.

Nathan does not teach or suggest every element of the claimed combination. For example, Nathan does not teach or suggest “receiving each packet of said file sent by the central server and directly writing said packet sent by the central server to said reception file” as recited by currently amended independent claim 1.

While Nathan does teach writing at least a piece of a file from a buffer into a file on permanent storage, Nathan does not teach or suggest writing a packet directly to any space on permanent storage. Nor does Nathan teach or suggest that the buffer itself is, or could be, space on any permanent storage. In fact, Nathan actually teaches away from such a concept. Nathan, in FIG. 1 and description of FIG. 3, describes and shows a series of buffers 46, 36 separate from the storage space 21. It is to these buffers that the packets

are written, not directly to an opened file on the permanent storage. Nathan practices the prior art techniques described in the background portion of the instant application.

For at least this reason, Applicant submits that claim 1 is patentably distinct from Nathan. Claims 4-6 should be patentable based at least on their dependency from claim 1. Reconsideration and withdrawal of the rejection are respectfully requested.

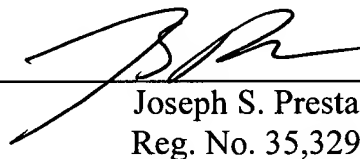
In view of the foregoing amendments and remarks, Applicant believes that the amended claims herein clearly and patentably distinguish the prior art of record and are in condition for allowance. Thus, withdrawal of the rejections and allowance of this application is respectfully requested.

Should the Examiner have any questions regarding this amendment, or deem that any formal matters need to be addressed, the Examiner is invited to call the undersigned attorney at the phone number below.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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